

**Minutes  
County Road Administration Board  
April 18-19, 2002  
CRAB Office – Olympia, Washington**

**Members Present:** Grant County Commissioner Tim Snead, Chair  
Asotin County Commissioner Don Scheibe, Vice-Chair  
Ken Stone, Cowlitz County Engineer  
Randy Casteel, Kitsap County Engineer  
Walla Walla County Commissioner David Carey  
Garfield County Commissioner Dean Burton  
Robert Breshears, Lincoln County Engineer

**Members Absent:** Pierce County Council Member Harold Moss  
Clark County Commissioner Judie Stanton

**Staff Present:** Jay Weber, Executive Director  
Walt Olsen, Deputy Director  
Steve Hillesland, Assistant Director  
Karen Pendleton, Executive Assistant  
Cheryl Heinemeyer, Secretary Admin.  
Chris Mudgett, Special Projects Manager  
Randy Hart, Grant Programs Manager  
Larry Pearson, Maintenance Programs Manager  
Steve Dietrich, CRAB Attorney

**Guests:** Reid Wheeler, Consultant\*  
Denise Tabler, Office of Financial Management/SACS\*  
Yolanda Wilson, Office of Financial Management/SACS\*  
Paul Bennett, Kittitas County Engineer\*

**CALL TO ORDER**

Chair Snead called the County Road Administration Board quarterly meeting to order at 1:00 PM on Thursday, April 18, 2002, at the CRAB Office in Olympia.

**CHAIR'S REPORT**

**Approve April 18-19, 2002, Agenda**

Mr. Stone moved and Commissioner Burton seconded to approve the meeting agenda. **Motion carried.**

**Approve Minutes of January 10-11, 2002, CRABoard Meeting**

Vice-Chair Scheibe moved and Mr. Stone seconded to approve the minutes of the January 10-11, 2002, CRABoard meeting. **Motion carried.**

\* Present 1<sup>st</sup> day only.

## **DIRECTOR'S REPORT**

### **CRABoard Positions**

Mr. Weber announced that WSAC Board of Directors had recently appointed Clark County Commissioner Judie Stanton to fill the vacancy of Whatcom County Council Member Robert Imhof. He reviewed a letter to WSAC reminding them that the terms currently held by Chair Snead, County Engineer Breshears and Commissioner Stanton would expire June 30, 2002. He encouraged Chair Snead and Mr. Breshears to submit letters of interest if they were interested in serving another term.

### **County Visits**

Mr. Weber noted his county visit to Kitsap County, indicating that because of his strong involvement with the legislature he was able to only conduct one visit this quarter.

### **Governor's Directive**

Mr. Weber reviewed Governor's Directive No. 02-03 regarding the current freeze on state hiring, travel and equipment purchases. He noted that although CRAB was not under the direct control of the Governor, he had every intention to impose similar standards to achieve targeted savings.

### **CRAB Deputy Director Position**

Mr. Weber announced the selection of Mr. Walt Olsen as CRAB's Deputy Director effective April 1, 2002.

## **DEPUTY DIRECTOR'S REPORT**

### **New County Engineers/Public Works Directors**

Mr. Olsen announced that Paulette Norman has been appointed as King County Engineer; Jolene Gosselin as Douglas County Engineer; Lou Haff as San Juan County Engineer on an interim basis; and Joe Nott has announced his retirement from Okanogan County.

### **State Auditor's Report**

Mr. Olsen noted that only one audit had been received this quarter, for Douglas County. He concluded that there were no findings reported.

### **Activities**

Mr. Olsen reviewed his Kitsap County visit. He has been attending numerous meetings, to include: monthly meetings of the WA State Emergency Management Committee on Terrorism, NACE Conference, and SW Region RAP meetings.

### **Performance Measures Survey**

Mr. Olsen reviewed the current status and results of the surveys conducted by Dr. Kelsey Gray, Washington State University.

## **BUDGET**

Ms. Tabler reviewed CRAB's current budget status through March 31, 2002. She also reviewed a one-page handout showing how staff positions would be split effective April 1, 2002, as a result of CRAB's budget changes adopted by the Legislature.

## **RAP BUSINESS**

### **Program Status Report**

Mr. Hart reviewed a one-page Rural Arterial Program status report.

### **Construction Lapsing Projects**

Mr. Hart reviewed a list of RAP projects facing construction lapsing in December 2002. King County's Tolt River Bridge appears to be the only one sure to lapse. The \$400,000 approved RATA funding is minimal compared to the overall project cost. The remaining projects are expected to be advertised ahead of the lapsing date of December 1, 2002.

### **Resolution 2002-004 – Apportionment of RATA Funds**

Mr. Hart presented Resolution 2002-004 to apportion RATA funds to regions. The accrued amount of \$4,646,900 now credited to RATA would be apportioned to the regions by the established 2001/2003 biennium regional percentages after setting aside \$139,407 (3%) for administration. After discussion, Mr. Stone moved and Vice-Chair Scheibe seconded to approve Resolution 2002-004.

**Motion carried.**

### **Resolution 2002-005 – Allocate Remaining 10% RATA Funds**

Mr. Hart presented Resolution 2002-005 to approve projects in the five regions which allocates estimated 2003/2005 biennium funds to the listed projects in the amounts shown in the Resolution. Totals reflect the following:

Northeast	\$1,449,258
Northwest	\$ 666,422
Puget Sound	\$ 270,838
Southeast	\$ 798,836
Southwest	<u>\$ 509,189</u>
Total	\$3,694,543

After discussion, Mr. Stone moved and Vice-Chair Scheibe seconded to approve Resolution 2002-005. **Motion carried.**

### **Scope Increase Request – Chelan County**

Mr. Hart reviewed Chelan County's request for a scope change for Wapato Lake Road. The request is to increase the original project limits to include a substandard curve adjacent to its northern end. New limits would be: MP 0.00 – 0.50/1.55 – 1.64. After discussion, Vice-Chair Scheibe moved and Mr. Stone seconded to approve the requested scope change for Chelan County's Wapato Lake Road, contingent upon WSDOT's design deviation approval. **Motion carried.**

### **Scope Increase Request – Mason County**

Mr. Hart reviewed Mason County's Bear Creek-Dewato Road request to increase the original project limits (milepost 7.59 to 9.00). The road would be improved from milepost 7.59 to milepost 10.00 with no additional RATA funding. After discussion, Mr. Casteel moved and Mr. Stone seconded to approve the requested scope change for Mason County's Bear Creek-Dewato Road. **Motion carried.**

### **Resolution 2002-006 – Revising CRAB/County Contract for Parke Creek Road, Kittitas County**

Mr. Hart presented Resolution 2002-006 to revise milepost limits of the existing CRAB/County contract for Parke Creek Road, project 1995-02 to milepost 1.78 – 2.61. The CRABoard previously approved a scope increase for this project extending the milepost limits from 1.78 – 2.61 to 0.34 – 2.61, which incorporated a section of the road that was submitted in 1995, but that did not gain funding. The scope change was granted on the condition that any additional funding needed would be supplied from county sources. Mr. Bennett addressed the Board describing this particular project and reviewed a handout showing the project breakdown. Kittitas County is now requesting the revision of the contract be restored to the original milepost limits. The section being dropped is the same section that was added via the scope increase. The county now wishes to seek RAP funding for the project during the next biennium allocation cycle. After discussion, Mr. Stone moved and Mr. Breshears seconded to approve Resolution 2002-006. **Motion carried.**

## **PUBLIC HEARING**

Chair Snead opened the public hearing at 2:00 p.m.

Mr. Hart reviewed a summary of the requested changes to WAC 136-130-030. He has received no public comments for these requested changes.

Chair Snead opened the floor for discussion or comments. Hearing none, Vice-Chair Scheibe moved and Mr. Stone seconded to close the public hearing. **Motion carried.**

After Board discussion, Commissioner Carey moved and Vice-Chair Scheibe seconded to adopt revisions to WAC 136-130-030, Project Prioritization in the Puget Sound Region (Project Types). **Motion carried.**

Mr. Hart reviewed a summary of the requested changes to WAC 136-130-070. He has received no public comments for these requested changes.

Chair Snead opened the floor for discussion or comments. Hearing none, Mr. Stone moved and Mr. Breshears seconded to close the public hearing. **Motion carried.**

After Board discussion, Mr. Stone moved and Vice-Chair Scheibe seconded to adopt revisions to WAC 136-130-070, Project Prioritization in the Southwest Region (Gravel Roads). **Motion carried.**

## **RAP BUSINESS (cont.)**

### **Scope Reduction Request – Columbia County**

Mr. Hart announced that this request has been withdrawn.

## **NEW BUSINESS**

### **Ethics in Public Service**

At the most recent FMSIB meeting, Ms. Mudgett heard a presentation by Steve Reinmuth of the Attorney General's Office concerning Ethics in Public Service. CRAB requested that Mr. Reinmuth or Mr. Dietrich provide the same information to the CRABoard, especially in light of Referendum 51, which will be on the ballot this fall. Mr. Dietrich reviewed a memorandum from the Secretary of Transportation to WSDOT staff that he indicated would also be applicable to the CRABoard and its staff. The memorandum discussed restrictions on the allowed activities of officials and employees regarding ballot measures as well as the restrictions on the use of public resources in support of or in opposition to ballot issues.

### **Public Information Request**

Mr. Weber reviewed a letter received from Mr. Steven Lacy, Lacy & Kane Law Offices, East Wenatchee. Mr. Lacy requested a Public Disclosure Request pursuant to RCW 42.17.260, regarding any and all documents pertaining to the illegal diversion of county road funds by Adams County Commissioners to help pay for the commissioners' salaries in 1996 through 1997 and any involvement of CRAB. Mr. Weber reviewed the research items forwarded to Mr. Lacy on April 21, 2002.

### **County Engineer of the Year**

Mr. Weber reviewed the annual nomination and selection for County Engineer of the Year. He indicated that the selection committee must receive applications by May 3, 2002.

### **Resolution 2002-007 – Certificates of Good Practice**

Mr. Weber presented Resolution 2002-007 to approve the Certificates of Good Practice to the listed counties. Mr. Olsen stated that 37 counties are in full compliance with the statutes. Two counties are in violation of Day Labor (Clallam and Mason Counties), of which Mason County may be in reasonable compliance. After discussion, Commissioner Carey motioned and Mr. Casteel seconded to table discussion of Resolutions 2002-007 and 2002-008 until after Friday's day labor issues were discussed. **Motion carried.**

### **Legislative Report**

Mr. Weber reviewed the outcome of Legislature and various bills concerning:

1. Changing the Legislative Transportation Committee (LTC) to the Legislative Transportation Accountability Committee
2. Performance measures assigned to LTC
3. State gas tax increase
4. Blue Ribbon Commission items
5. Project funding, and setting standards for a maintenance program
6. County engineer requirements

He concluded that he is currently reviewing session laws that may effect public work departments.

### **FHWA Regional Operations Issues**

Mr. Olsen informed the Board that he and Ms. Mudgett attended a WSDOT Regional Operations Workshop in Seattle. The workshop was billed as the first of a series across the state and focused on operational issues. WSDOT is developing an Operations Plan that would parallel the current Capital Plan. The workshop included presentations and discussion of various topics including enhancing transportation security, improving incident response, and reviewing commercial freight movement systems and communications. Other topics included the new statewide traveler information phone number, developing traffic management centers, improving winter operations, and border crossing initiatives.

### **Emergency Management Update**

Mr. Olsen reviewed the Citizen Corps, an initiative from President Bush, to help coordinate volunteer activities that will make communities safer, stronger, and better prepared to respond to any emergency situation. Citizen Corps promotes: Neighborhood Watch, Communication Emergency Response Teams, Volunteers in Police Services Medical Reserve Corps, and Operation TIPS.

Mr. Olsen reviewed the Homeland Security Advisory System, which will be the foundation for building a comprehensive and effective communications structure for the dissemination of information regarding the risk of terrorist attacks to all levels of government and the American people. He reviewed how the five-stage Threat Conditions assessment can be applied.

Ms. Mudgett reviewed the Incident Command System ICS, which organizes and coordinates responses to emergencies. She requested Board support for she and Mr. Olsen to attend the ICS training course this summer with the intention of providing the training to county public works departments. The Board indicated that it sounds like the training could be of good value to the counties.

**Chair Snead recessed at 4:50 P.M. The CRABoard meeting will resume April 19, 2002, at 9:00 A.M.**

**County Road Administration Board**  
**April 18-19, 2002**  
**Friday**

**CALL TO ORDER**

The second day of the spring CRABoard meeting was called to order by Chair Snead at 9:00 AM on April 19, 2002.

**OLD BUSINESS**

**Day Labor**

Mr. Dietrich reviewed his response to the Board concerning the counties' use of day labor set in RCW 36.77.065. Specifically, the Board asked: Are counties permitted to divide a road construction project by classes of work unless the construction budget is less than \$500,000 or the project is for installation of electrical equipment in an amount exceeding \$10,000? He summarized that, in his opinion, subject to the specific limitations set forth in subsections (2)(d) and (3), counties do not violate RCW 36.77.065 by performing a portion of a larger project with day labor.

**WAC Revisions – Day Labor**

Pursuant to the direction of the Board at its previous meeting, Ms. Mudgett reviewed a proposed revision to WAC 136-18 that would assist the CRABoard in determining what constituted "reasonable" compliance with the day labor statutes. The Board discussed historical compliance by the counties and Mr. Dietrich gave his interpretation of "reasonable" and "unreasonable". The Board then requested that the proposed revision be modified to include the issue of historical compliance before being scheduled for a public hearing.

**Resolution 2002-007 – Certificates of Good Practice and**  
**Resolution 2002-008 – Certificates of Good Practice**

After discussion on Day Labor, Commissioner Carey moved and Vice-Chair Scheibe seconded to remove Resolution 2002-007 from the table and open for discussion. **Motion carried.**

Commissioner Carey moved and Mr. Stone seconded to approve 39 counties Certificates of Good Practice, with a warning for Clallam County that they are in violation of day labor compliance. However, based on the circumstances and that there was no apparent intent to not comply, a certificate will be issued. Chair Snead read a proposed Resolution 2002-007, approving certificates for all 39 counties. After discussion, Commissioner Carey and Mr. Stone withdrew this motion.

Ms. Pendleton introduced new Resolution 2002-007, certificates for 38 counties, and Resolution 2002-008, conditional certificate for Clallam County.



After discussion, Commissioner Burton moved and Vice-Chair Scheibe seconded to approve Resolution 2002-007, Certificates of Good Practice for 38 counties.

**Motion carried.**

Vice-Chair Scheibe moved and Commissioner Carey seconded to approve Resolution 2002-008, Conditional Certificate of Good Practice for Clallam County.

**Motion carried.**

### **WAC Revisions – Day Labor (cont.)**

Ms. Mudgett reviewed the suggested WAC revisions to the day labor statutes. Mr. Dietrich also made suggestions to the verbiage. After discussion, CRAB staff were directed to continue processing this suggested revision.

### **WAC Revisions – County Engineer Vacancy**

Ms. Mudgett and Ms. Pendleton reviewed the authorizing statutes and implementing WACs regarding the employment of county engineers. Ms. Pendleton reviewed suggested WAC revisions and suggested worksheets/checklists to assist the public works departments in complying with the statutes. The Board asked that minor changes be made to the proposed WAC revisions before a public hearing is held.

### **2002 Annual Certification Questionnaire**

Ms. Mudgett reviewed the current authorizing statutes and the current annual certification form. Noting that staff discussions had determined that the current certification form does not include everything that CRAB is responsible for certifying as a prerequisite to gas tax distribution, she also reviewed a proposed annual certification form that would be more complete. Board members offered additional suggestions for the revised form and requested that after the changes were made, the form be circulated to the counties for review. They also requested that the proposed form, including all suggested changes, be discussed again at the next Board meeting.

### **Request for Public Hearing**

A public hearing has been requested for the following revisions:

- 1) WAC 136, Chapter 18 – Standards of Good Practice-Day Labor Construction (adding 136-18-185)
- 2) WAC 136, Chapter 12 – Standards of Good Practice-Vacancy in Position of County Engineer (revising 136-12-010 & 136-12-020)
- 3) WAC 136-04-020, Annual Cert Form (revising)

Mr. Stone moved and Mr. Breshears seconded to have a public hearing for these changes. **Motion carried.**

Mr. Stone moved and Mr. Breshears seconded to amend the listing to include WAC 136-010 and proposed adoption of 136-050. **Motion carried.**

Mr. Stone moved and Mr. Breshears seconded to hold the public hearing on July 11, 2002 at 2:00PM. **Motion carried.**

### **On-Line Agenda**

Mr. Hillesland demonstrated the new on-line CRABoard agenda. The Board remarked that they liked the new agenda and looked forward to its continued use.

### **RAP Waiver Request Letter**

Mr. Hart reviewed statutes concerning request for waiver of payback of used RATA funds after project termination. He reviewed a suggested form.

### **GASB34**

The Washington Finance Officers Association recently requested Ms. Mudgett to participate in training classes on "Infrastructure Issues and Solutions Related to GASB 34".

### **Transportation Executive Information Service (TEIS)**

Mr. Hillesland reviewed the web page for TEIS and how the Board could view CRAB's project listings.

**Chair Snead adjourned at 11:40 A.M.**

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Chairman

ATTEST: \_\_\_\_\_

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<sup>i</sup> \*Present 1<sup>st</sup> day only  
 \*\*Present 2<sup>nd</sup> day only

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